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HOUSE BILL 1015

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Daniel P. Silva

AN ACT

RELATING TO COUNTIES; INCREASING THE TERM FOR MILL LEVIES FOR HOSPITAL FUNDING IN CERTAIN COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-48B-15 NMSA 1978 (being Laws 1953, Chapter 174, Section 2, as amended) is amended to read:

"4-48B-15. ELECTION ON SPECIAL LEVY.--

A. In the event the county commissioners of a county, other than a class A county, desire to provide the mill levy authorized in Paragraph (2) of Subsection A of Section 4-48B-12 NMSA 1978, the county commissioners shall submit to the qualified electors of the county the question of levying those taxes not to exceed four dollars twenty-five cents (\$4.25) on each one thousand dollars (\$1,000) of net taxable value of property allocated to the county for a period of time

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1 not less than four years nor more than eight years.

2 B. In the event the county commissioners of a class
3 A county with a population less than five hundred thousand
4 persons desire to provide the mill levy authorized in Paragraph
5 (1) of Subsection A of Section 4-48B-12 NMSA 1978, the county
6 commissioners shall submit to the qualified electors of the
7 county the question of levying those taxes not to exceed six
8 dollars fifty cents (\$6.50) on each one thousand dollars
9 (\$1,000) of net taxable value of property allocated to the
10 county for a period of time of not less than four years nor
11 more than eight years.

12 C. In the event the county commissioners of a class
13 A county with a population of five hundred thousand or more
14 persons desire to provide the mill levy authorized in Paragraph
15 (1) of Subsection A of Section 4-48B-12 NMSA 1978, the county
16 commissioners shall submit to the qualified electors of the
17 county the question of levying those taxes not to exceed six
18 dollars fifty cents (\$6.50) on each one thousand dollars
19 (\$1,000) of net taxable value of property allocated to the
20 county for a period of time of not less than four years nor
21 more than sixteen years.

22 [~~C.~~] D. The question may be submitted to the
23 electors and voted upon as a separate question at any general
24 election or at any special election called for that purpose by
25 the county commissioners. The election upon the question of a

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1 mill levy shall be called, held, conducted and canvassed in
2 substantially the same manner as now or hereafter may be
3 provided by law for general elections.

4 ~~[D.]~~ E. In the event the mill levy submitted under
5 Subsection A or B of this section is voted upon favorably by
6 the electors of the county, the mill levy shall become
7 effective and be made for the ensuing fiscal year and those
8 future years, not less than three nor more than seven, as
9 stated in the question voted upon; provided that the question
10 of continuing the mill levy shall thereafter be submitted to
11 the electors at the general election immediately prior to the
12 expiration of the period of assessment previously approved.

13 F. In the event the mill levy submitted under
14 Subsection C of this section is voted upon favorably by the
15 electors of the county, the mill levy shall become effective
16 and be made for the ensuing fiscal year and those future years,
17 not less than three nor more than fifteen, as stated in the
18 question voted upon; provided that the question of continuing
19 the mill levy shall thereafter be submitted to the electors at
20 the general election immediately prior to the expiration of the
21 period of assessment previously approved.

22 G. The county commissioners shall decrease the rate
23 of any mill levy imposed under the Hospital Funding Act if
24 required by operation of the rate limitation provisions of
25 Section 7-37-7.1 NMSA 1978. Subject to the provisions of
.165828.1

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1 Subsection D of Section 4-48B-12 NMSA 1978, the county
2 commissioners may direct that the mill levy be decreased or not
3 be made for any year if, in their judgment, sufficient funds
4 for operation and maintenance of the hospital and transfer to
5 the county-supported medicaid fund, if applicable, are
6 available or will be obtained from other sources and if,
7 relative to a county hospital operated by a state educational
8 institution named in Article 12, Section 11 of the constitution
9 of New Mexico, a decision to decrease the mill levy is agreed
10 to by the state educational institution.

11 ~~[E-]~~ H. In the event that the mill levy approved by
12 the electors is less than the maximum mill levy authorized for
13 the county by Subsection A of Section 4-48B-12 NMSA 1978 and
14 the county commissioners desire to increase the amount of the
15 approved mill levy, the county commissioners shall submit, in
16 accordance with Subsection ~~[E]~~ D of this section, to the
17 qualified electors of the county the questions of levying those
18 additional taxes for a period of time consistent with the
19 expiration of the mill levy previously approved; provided that
20 the additional taxes, when added to the mill levy previously
21 approved, may not exceed the mill levy maximum for the county
22 provided in Subsection A of Section 4-48B-12 NMSA 1978. In the
23 event that the mill levy increase is voted upon favorably by
24 the electors of the county, the increase shall become effective
25 for the years stated in the question voted upon. Nothing in

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1 this subsection shall be construed as requiring an election to
2 restore the mill levy to an amount no higher than the mill levy
3 approved by the electors after a reduction in the mill levy
4 made pursuant to [~~Subsection D~~] Subsections E through G of this
5 section."

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